UNITED STATES PATENT AND TRADEMARK OFFICE

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10/083,356	02/27/2002	Masahiro Kageyama	H-1037	9182

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EXAMINER
JOO, JOSHUA

ART UNIT	PAPER NUMBER
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SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

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Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 October 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-15* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

Detailed Action

Response to Amendment filed 10/24/2006

1.   Claims 1-15 are presented for examination

Response to Arguments

2.   Applicant's arguments with respect to claims 1-15 have been considered but are moot in view of

the new ground(s) of rejection.   New grounds of rejections are necessitated based on Applicant's

amendments.

Claim Rejections - 35 USC § 112

3.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the
> subject matter which the applicant regards as his invention.

4.   Claim 4-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to

particularly point out and distinctly claim the subject matter which applicant regards as the invention.

  i)   Regarding claim 4, "the terminal devices" lack sufficient antecedent basis.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

6.   Claims 1, 2, 9, 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ilan et al,

US Publication #2002/0059184 (Ilan hereinafter), in view of Abrahams, US Publication #2002/0120934

(Abrahams hereinafter) and Roy et al. US Patent #7,106,479 (Roy hereinafter).

7.   As per claims 1 and 9, Ilan teaches substantially the invention as claimed including an

information exchange method and terminal device, Ilan's teachings comprising the steps of:

obtaining a content of interest rendered by media using first and second terminal devices for

information exchange connected to a computer network (Paragraph 0024. Users access web pages.);

displaying an image regarding the content on the first and second terminal devices (Paragraph

0024. Users accesses web pages. It is inherent that accessing web pages would result in displaying the

web page to the users);

sending an information to identify the displayed image from first and second terminal devices to a

server device connected to the computer network, respectively, across the computer network (Paragraphs

0023; 0027. Server receives URL, which may point to a data object.);

allowing communication messages between the first terminal and the second terminal based on

the received information by the server device (Paragraphs 0031; 0036. Server compares data objects and

keywords, and initiates communication between the first user and second user.); and

displaying the messages on the first and second terminal devices (Paragraph 0002. Chat.

Inherent that messages are display to communicate in chat session with other users.).

8.   Ilan teaches substantial features of the claimed invention. However, Ilan does not specifically

teach of displaying image that is an video image, sending an identification information to identify the

displayed video image and an object information including information relevant to position or time of an

object indicated from the displayed video image; and displaying the messages together with the video

image on the first and second terminal devices

9.　　Abrahams teaches of displaying a video image for searching and matching objects of the video image, wherein information for matching includes identification information, e.g. program name, and object information relevant to the position, e.g. coordinates, and time, e.g. time stamp (Paragraph 0046-0048; 0062).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ilan and Abrahams to include an video image for matching and providing identification information to identify the displayed video image and an object information including information relevant to position and time. The teachings of Abrahams would improve the system of Ilan by providing additional parameters, including images and videos viewed by users on the user computer, for matching users, thereby expanding the interests that may be used for matching.

10.　　Ilan and Abrahams still do not specifically teach of displaying the messages together with the video image on the first and second terminal devices.   Roy teaches of users viewing the same image, and displaying messages together with the image (Col. 9, lines 1-8; 15-21).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ilan, Abrahams, and Roy to display the messages together with the image, which would improve the user interface of Ilan and Abrahams' system by allowing users to input and read messages while viewing the same image, increasing the user-friendliness of the system (Col. 9, lines 15-21).

11.　　As per claim 2, Ilan teaches the information exchange method as recited in claim 1 wherein:

the first terminal device displays the image regarding the content of interest rendered by media and sends first information to the server device, the first information including first identification to

identify the displayed image on the first terminal device (Paragraph 0027. Server receives data string.

Paragraph 0023. Data string is a pointer to a data object. Paragraph 0031. Access web page.);

the second terminal device displays the image regarding the content of interest rendered by media

and sends second information to the server device, the second information including second identification

information to identify the displayed image on the second terminal (Paragraph 0022. One or more users

sharing interest in the same subject area. Paragraph 0027. Server receives data string. Paragraph 0023.

Data string is a pointer to a data object. Paragraph 0031. Access web page.);

the server device makes up a group of the first and second terminal devices, according to a

grouping process using the first and second information sent from the first and second terminal devices

(Paragraph 0029; 0036. Server initiates communication between the first user and the second user based

on the received information.);

the first terminal device sends a first message to the server (Paragraph 0029. Server provides a

communication channel between first and second user. Communication channel allows users to

communicate.);

the server device sends the first message to one or more terminal devices belonging to the group

including the second terminal device (Paragraph 0029. Server provides a communication channel between

the first and second user); and

the second terminal device receives and outputs the message (Paragraph 0029. Server provides a

communication channel between the first and second user).

12.   Ilan does not specifically teach the first terminal device displaying image that is a video image;

the first information including first identification to identify the displayed video image on the first

terminal device, and a first object information to define a part or all of an object indicated from the

displayed video image on the first terminal; the second terminal device displaying an image that is a video

image; and the second information including second identification information to identify the displayed

video image on the second terminal device, and second object information to define a part or all of an

object indicated from the displayed video image on the second terminal.

Abrahams teaches of a user displaying a video image, and sending information including

identification to identify the displayed video image on the terminal device, and an object information to

define a part or all of an object indicated from the displayed video image on the terminal, for the purpose

of searching and matching the object of the video image (Paragraph 0046-0048; 0062).

13.   It would have been obvious to one of ordinary skill in the art at the time the invention was made

to combine the teachings of Ilan and Abrahams for a user to provide information comprising

identification to identify a displayed video image, and object information to define a part or all of an

object indicated from the displayed video image, in addition to providing data objects. The teachings of

Abrahams would further improve the system of Ilan, Abrahams, and Roy by providing matching and

messaging based on additional parameters, wherein users may identify objects shown on video.

14.   As per claim 12, Ilan, Abrahams, and Roy taught the information exchange method according to

claim 1 for transmitting identification and object information. Ilan further teaches wherein the server

device allows communication of messages between the first terminal device and the second terminal

device based on consistency between information from the first terminal device and information from the

second terminal device (Paragraph 0036. Server initiates communication between the users if a similarity

or identify is detected between the data strings.).

15.   As per claim 13, Ilan teaches the information exchange method according to claim 12, wherein

the communication messages between the first terminal device and the second terminal device includes

chat using the computer network (Paragraph 0029. Users communicate with each other. Paragraph 0002-

0003. Chat.).

16.   As per claim 14, Ilan does not specifically teach the information exchange method according to

claim 12, wherein the displayed video image regarding the content is a television video image.

Abrahams teaches the method wherein the displayed video image regarding the content is a television

video image (Paragraph 0046).

17.   It would have been obvious to one of ordinary skill in the art at the time the invention was made

to combine the teachings of Ilan, Abraham, and Roy for the displayed video image regarding the content

to be a television video image, which would further improve the system of Ilan, Abraham, and Roy by

allowing users to identify objects on a television program to receive additional information.

18.   As per claim 15, Ilan does not teach the information exchange method according to claim 1,

wherein the object information includes area information indicated from the displayed video image by

using a pointing device.   Abrahams teaches of object information includes area information indicated

from the displayed video image by using a pointing device (Paragraph 0012; 0046-0047).

19.   It would have been obvious to one of ordinary skill in the art at the time the invention was made

to combine the teachings of Ilan, Abrahams, and Roy to use a point device to indicate from the displayed

video object information including area information, which would further improve the system of Ilan,

Abrahams, and Roy by providing a convenient method for identifying objects of interest for the user.

20.   Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ilan, Abrahams, and Roy,

in view of Inala et al, US Publication #2003/0014489 (Inala hereinafter).

21.   As per claim 3, Ilan, Abraham, and Roy taught the information exchange method as recited in

claim 2. Ilan further teaches wherein:

the grouping process comprises one of or a combination of a plurality of the following:

grouping terminal devices for information exchange for which matching to a certain extent occurs regarding the first and second information received therefrom (Paragraph 0028; 0031; 0036. Match users based on received information.);

grouping terminal devices for information exchange for which matching to a certain extent occurs regarding the first and second identification information and the first and second object information received therefrom (Paragraph 0023;0026. Server initiates communication between users based on received information.);

grouping terminal devices for information exchange for which matching occurs in one of or a plurality of items of information designating appointed identifiers of terminal devices for information exchange, geographical area, interests, content titles, and community, respectively (Paragraph 0022. User communicates based on interests.).

22.   Ilan does not teach of grouping terminal devices for information exchange by limiting the number of terminal devices to form a group to a given number.   Inala teaches of setting a predetermined maximum number of clients that may define a full chat room (Paragraph 0079).

23.   It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ilan, Abrahams, Roy, and Inala to limit the number of users to form a group because both the system of Ilan, Abraham, and Roy, and Inala's teachings deal with users communicating with each other based on commonly visited web sites. The teachings of Inala to limit the number of users to form a group would improve the system of Ilan, Abrahams, and Roy by providing administrative control of the groups, and preventing overcrowding and lagging of the chat groups.

24.   Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ilan, Abrahams, Roy, in

view of Wang et al, US Patent #6,058,428 (Wang hereinafter).

25.   As per claim 10, Ilan does not specifically teach the terminal device for information exchange as

recited in claim 9, further comprising: a storing unit which stores the content of interest; and a thumbnail

generator which generates and displays a thumbnail image from the identification information, the object

information, and the stored content of interest on the display unit.   Wang teaches the of storing images;

and generating and displaying the thumbnail images (Col 5, lines 1-10).

26.   It would have been obvious to one of ordinary skill in the art at the time the invention was made

to combine the teachings of Ilan, Abrahams, Roy, and Wang to store images and generate thumbnails of

the images, which would improve the system of Ilan, Abrahams, and Roy by providing efficient viewing

and sharing of images as thumbnail images are smaller in file size, thus requiring less time for

transmission and loading. Furthermore, Abrahams taught of identifying identification information and

object information. It would have been obvious to one of ordinary skill to use the identification and

objection to generate a thumbnail that is relevant to the content of interest.

27.   Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ilan, Abrahams, and Roy,

in view of Yoneda, US Patent #6,002,832 (Yoneda hereinafter).

28.   As per claim 11, Ilan does not specifically teach of a terminal device for information exchange as

recited in claim 9 further comprising a time shifting unit which records and reproduces the content of

interest.   Yoneda teaches of recording and reproducing data, where time shifting is used to record and

reproduce videos (Col 7, lines 29-36; Col 8, lines 10-24).

29.   It would have been obvious to one of ordinary skill in the art at the time the invention was made

to combine the teachings of Ilan Abrahams, Roy, and Yoneda to record and reproduce videos, which

would improve the capability of the system of Ilan, Abrahams, and Roy by allowing users to share and

view videos.

30.   Claims 4 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boies, in view of

Abrahams, and Roy.

31.   As per claim 4, Boies teaches substantially the invention as claimed including an information

exchange method, Boies' teachings comprising the steps of:

obtaining a content of interest rendered by media using a first terminal device for information

exchange connected to a computer network (Col. 14, lines 11-15; Col. 15, lines 9-11. Media can be

image, motion video.);

displaying a video image regarding the content on the first terminal device (Col. 4, lines 21-24.

Display adaptor to display pictures.);

a message from the first terminal device to a server device for information exchange, across a

computer network (Col. 14, lines 36-42. First user provides information to server. Col. 14, lines 9-15.

Media transmitted can be text.);

making up a group of two or more terminal devices including at least the first terminal device and

a second terminal device by the server device which obtains a content of interest rendered by media and

displays a video image regarding the content, by the server device (Col. 14, lines 36-44. Server provides

link between first user and second user, and provides information from first user to the second user. Col.

14, lines 13-15. Media transmitted between users can be image or motion video. Col. 4, lines 65-67.

Exchanged images displayed on respective computers.);

sending the messages which are sent from the terminal devices to server device, to the second

terminal device belonging to the group across the computer network, by the server device(Col. 14, lines

36-44. Server provides information from first user to the second user. Col. 14, lines 9-15. Media

transmitted can be text.);

receiving the message from the server device by the second terminal device (Col. 14, lines 36-44.

Server provides information from first user to the second user.); and

displaying the messages and the video image on the second terminal device based on the received

message (Col. 4, lines 65-67. Exchanged images displayed on respective computers. Col. 14, line 13-15.

Transmit text. Col. 15, lines 9-11. Textual display.).

32. Boies teaches substantial features of the claimed invention. However, Boies does not specifically

teach of: sending information comprising an identification information to identify the displayed video

image on the first terminal device, and an object information including information relevant to position or

time of an object indicated from the displayed video image on the first terminal device; sending the

identification information and the object information received by the server device to the second terminal

device belonging to the group across the computer network; and receiving the identification and object

information from the server device by the second terminal device; and displaying the messages together

with the video image.

33. Abrahams teaches of displaying a video image and sending information regarding the video

image, wherein information includes identification information, e.g. program name, and object

information relevant to the position, e.g. coordinates, and time, e.g. time stamp (Paragraph 0046-0048;

0062).

It would have been obvious to one of ordinary skill in the art at the time the invention was made

to combine the teachings of Boies and Abrahams to provide identification information to identify the

displayed video image and an object information including information relevant to position and time because Boies deals with information exchange between users, wherein information may include video and pictures. The teachings of Abrahams would improve the system of Boies by increasing the type of information that may be exchanged between users and providing additional information that may be used to identify users with similar interests (Col. 15, lines 26-30, 36-42).

34.   Boies and Abrahams still do not specifically teach of displaying the messages together with the video image on the first and second terminal devices.   Roy teaches of users viewing the same image, and displaying messages together with the image (Col. 9, lines 1-8; 15-21).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Boies, Abrahams, and Roy to display the messages together with the image because the system of Boies and Abrahams teach of displaying images, videos, and text. The teachings of Roy would improve the user interface of Boies and Abrahams' system by allowing users to input and read messages while viewing the same image, increasing the user-friendliness of the system (Col. 9, lines 15-21).

35.   As per claim 8, Boies, Abrahams, and Roy taught the information exchange method as recited in claim 4. Boies further teaches the method wherein said message comprises one of or a combination of a plurality of following items: character strings of text and keywords, audio information, video information, advertising information, time information, thumbnail images, and pointer information (Col. 14, lines 11-15; Col. 15, lines 9-11. Text, image, video).

36.   Claims 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boies, Abrahams, and Roy, in view of Emens et al, US Patent #6,745,178 (Emens hereinafter).

37.   As per claim 5, Boies does not specifically teach the information exchange method as recited in

claim 4, wherein said server device makes up a group of terminals devices for information exchange

having a group identifier registered beforehand.   Emens teaches of having a group identifier registered

beforehand, where a user may join a preexisting chat groups (Fig. 6B; Col 8, lines 30-36).

38.   It would have been obvious to one of ordinary skill in the art the time the invention was made to

combine the teachings of Boies, Abrahams, and Roy to have a group identifier registered beforehand,

which would improve the system of Boies, Abrahams, and Roy by providing default groups, and allowing

users to identify and join existing chat groups.

39.   As per claim 6, Boies does not specifically teach the information exchange method as recited in

claim 4 wherein said information exchange server equipment makes up a group of terminal devices for

information exchange in such a way in which:

        the server device makes a list of one or more groups that have been made up and related group

information and sends the group list to the first terminal device;

        the first terminal device receives and outputs the group list, selects the group information for one

group from the group list, then sends the selected group information to the server device across the

computer network; and

        the server device sets the first terminal device to join the group appointed by the selected group

information.

        Emen teaches of a server making a list of one or more groups that have been made up and related

information (Col. 6, lines 59-67; Col 7, lines 50-59); sending the group list to the first terminal device for

information exchange across the computer network (Col. 8, lines 32-33); the first terminal device for

receiving and outputting the group list, selecting the group information for one group from the group list,

and sending the selected group information to the server device across the computer network (Col. 8, lines

31-37.); and the server sets the first terminal device to join the group appointed by the selected group

information (Col 8, lines 38-39).

40.   It would have been obvious to one of ordinary skill in the art at the time the invention was made

to combine the teachings of Boies, Abrahams, Roy, and Emens because the above teachings of Emens

would improve the system of Boies, Abrahams, and Roy providing the user with the option of joining a

desired chat group from a plurality of chat groups that have similar interests with the user.

41.   As per claim 7, Boies does not specifically teach the information exchange method as recited in

claim 6 wherein the group information includes the identification information and the object information.

Emens teaches of group information containing identification information (Fig. 6B; Col 8, lines 31-35).

42.   While Emens does not specifically teach of object information, Abrahams taught of identification

and object information. It would have been obvious to one of ordinary skill in the art at the time the

invention was made to combine the teachings of Boies, Abrahams, Roy, and Emens to provide group

information containing identification information and object information, which would improve the

system of Boies, Abrahams, and May by providing additional information to a user regarding chat

sessions and allowing the user to select a chat session that is most relevant to the user's interest.

Conclusion

43.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office

action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is

reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

44.   A shortened statutory period for reply to this final action is set to expire THREE MONTHS from

the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing

date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH

shortened statutory period, then the shortened statutory period will expire on the date the advisory action

is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX

MONTHS from the date of this final action.

45.   Any inquiry concerning this communication or earlier communications from the examiner should

be directed to Joshua Joo whose telephone number is 571 272-3966. The examiner can normally be

reached on Monday to Friday 7 to 4.

46.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Nathan J. Flynn can be reached on 571 272-1915. The fax phone number for the organization where this

application or proceeding is assigned is 571-273-8300.

47.   Information regarding the status of an application may be obtained from the Patent Application

Information Retrieval (PAIR) system. Status information for published applications may be obtained

from either Private PAIR or Public PAIR. Status information for unpublished applications is available

through Private PAIR only. For more information about the PAIR system, see http://pair-

direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

NATHAN J. FLYNN
January 4, 2006   SUPERVISORY PATENT EXAMINER
JJ   TECHNOLOGY CENTER 2800